

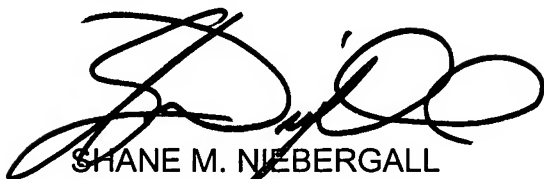
REMARKS

1 The Examiner found claims 1-17 to be allowable over the prior art. The applicant appreciates the Examiner's consideration of the same.

5 The Examiner has rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,709,617 to Wu in view of U.S. Patent No. 6,440,345 to Hellberg. Specifically, the examiner states that the Wu patent teaches each of the steps within the claimed methods of providing a prosthetic socket. The examiner states that the Wu reference appears to illustrate the positioning of the residual limb in a substantially, positively flexed manner but appears not to explicitly
10 teach such positioning. However, the examiner finds, at column 4, lines 1-7, in the Hellberg reference the teaching that such a flexed position of a stump when forming a sleeve or socket is favorable. Accordingly, the Examiner argues that it would have been obvious to one of ordinary skill in the art at the time the applicant derived the instant
15 invention to incorporate these teachings from the Hellberg reference in the method taught by the Wu reference in order to derive the applicant's invention as claimed. The Examiner further argues that such a moldable means would inherently capture a shape formed by the femoral condyles within the limb as they move. The applicant respectfully disagrees. However, in an effort to expedite the prosecution of this matter, applicant
20 has cancelled claim 18.

25 No fees or extensions of time are believed to be due in connection with this amendment; however, please consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 502093.

Respectfully submitted,



SHANE M. NIEBERGALL
Registration No. 44,974
THOMTE, MAZOUR & NIEBERGALL
Attorneys of Record

2120 South 72nd Street, Suite 1111
Omaha, NE 68124
(402) 392-2280

CERTIFICATE OF MAILING

I hereby certify that the original of this AMENDMENT AFTER FINAL REJECTION for RUSSELL F. BURTON, Serial No. 10/783,232, was mailed by first class mail, postage prepaid, to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23rd day of May, 2006.


SHANE M. NIEBERGALL